



STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION

Chris Christie  
*Governor*  
Kim Guadagno  
*Lt. Governor*

Robert M. Czech  
*Chair/Chief Executive Officer*

**MINUTES OF REGULAR MEETING OF  
THE CIVIL SERVICE COMMISSION  
SEPTEMBER 20, 2017**

**Robert M. Czech, Chairperson  
Dolores Gorczyca  
Daniel W. O'Mullan**

September 20, 2017

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A regular meeting of the Civil Service Commission was held on Wednesday, September 20, 2017, in Trenton, New Jersey.

**PRESENT:** Robert M. Czech, Chairperson, Members Dolores Gorczyca and Daniel W. O'Mullan; Pamela Ullman, Deputy Attorney General; Christopher Myers, Director, Division of Appeals and Regulatory Affairs.

In accordance with L.1975, c.231, the Secretary to the Civil Service Commission opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on November 28, 2016, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

**WITHDRAWAL OF APPEALS**

**The following appeals were withdrawn and removed from the hearing calendar:**

Andrea Berry, Senior Correction Officer, Southern State Correctional Facility, Department of Corrections, removal.

Mary Conover, Practical Nurse, Hunterdon Developmental Center, Department of Human Services, removal.

Daniel Lopez, Police Officer, Township of Kearny, Police Department, release at the end of the working test period.

Rodney Wearing, Laborer 1, City of Camden, Department of Public Works, removal.

Melissa Whitehead, Police Officer, City of Newark, Department of Public Safety, removal.

Melvin Robinson, Senior Correction Officer, Albert C. Wagner Youth Correctional Facility, Department of Corrections, suspension.

Melvin Robinson, Senior Correction Officer, Albert C. Wagner Youth Correctional Facility, Department of Corrections, suspension.

Rafael Zabala, Project Coordinator Redevelopment, City of Newark, Department of Economics and Housing Development, layoff.

**ACTION:** The Civil Service Commission noted the withdrawals of appeal without prejudice.

**DISMISSAL FOR FAILURE TO APPEAR**

**The Civil Service Commission dismissed the following cases without prejudice for failure to appear at the scheduled hearing before the Office of Administrative Law:**

Desiree Jones, Keyboarding Clerk 1, Union County, Department of the Clerk, suspension.

Shawn Williams, Clerk 2, City of Trenton, Departments of Administration, layoff.

Duewa Edwards-Dickson, Program Coordinator, City of Trenton, Department of Health and Senior Services, layoff.

Tywana Smith, Clerk Typist, City of Trenton, Department of Health and Senior Services, layoff.

Lawrence Kennie, Senior Public Safety Telecommunicator, Gloucester County, Department of Emergency Response, suspension.

**ACTION:** The Civil Service Commission noted the dismissal of appeals without prejudice.

## SECTION A – HEARING MATTERS

### A-1 SETTLEMENTS

Clare Alexander  
City of Newark  
Department of Economics and Housing Development  
Layoff

Seraphin Alexandre  
Greystone Park Psychiatric Hospital  
Department of Human Services  
Removal

Maryann Agyare  
Hunterdon Developmental Center  
Department of Human Services  
Removal

Yhamile Rodriguez-Perez  
Superior Court of New Jersey  
Monmouth Vicinage  
Removal

Mattie Thomas  
New Jersey Veterans Memorial Home Vineland  
Department of Military and Veterans Affairs  
Removal

Latoya Young  
City of Newark  
Police Department  
Suspension

Victor Zamora  
City of Newark  
Department of Neighborhood and Recreational Services  
Removal

**RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN  
THE ABOVE CASES – SETTLEMENT**

**ACTION:** The Civil Service Commission acknowledged the settlements.

**A-2 ROSALBA DOMINGUEZ**

Rosalba Dominguez, Senior Probation Officer, Judiciary, Somerset Vicinage, removal effective March 12, 2015 on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-3 STEVEN HOTZ**

Steven Hotz, Senior Correction Officer, Garden State Youth Correctional Facility, Department of Corrections, removal effective October 7, 2016 on charges of falsification, conduct unbecoming an employee, physical or mental abuse of an inmate and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-4 SHIRLEY SAVAGE (Consolidated)**

Shirley Savage, Human Service Assistant, Department of Human Services, Ancora Psychiatric Hospital, two removals effective January 22, 2013 on charges of conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removals.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-5 SETTLEMENTS**

Carl Magby  
City of Hackensack  
Department of Sanitation  
Removal

**ACTION:** The Civil Service Commission acknowledged the settlement.

**SECTION B – MISCELLANEOUS MATTERS**

**B-1 R.S. – CSC DOCKET NO. 2016-3686**

R.S. appeals her rejection as an Admissions and Records Officer by Essex County and its request to remove her name from the eligible list for Admission and Records Officer (C0281T), Essex County, on the basis of a failed medical examination.

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-2 ROBERT GILLO – CSC DOCKET NO. 2017-1383**

Robert Gillo appeals West Orange's removal of his name from the eligible list for Fire Fighter (M1580T), West Orange, on the basis that he falsified his application, did not complete the pre-employment process and resided outside the residency scope.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-3 JORGE ORTIZ – 2017-1890**

Jorge Ortiz, appeals his removal from the eligible list for Fire Fighter (M1513T), Clifton, on the basis of falsification of his pre-employment application.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-4 LAMARR SMITH – CSC DOCKET NO. 2017-2366**

Lamarr Smith appeals the removal of his name from the eligible list for County Correction Officer (S9999R), Union County, on the basis of an unsatisfactory criminal record.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-5 ADMINISTRATIVE SECRETARY (M0669T), LAKEWOOD - CSC DOCKET NO. 2017-414**

Lakewood Township requests permission not to make an appointment from the February 1, 2016 certification for Administrative Secretary (M0669T).

**ACTION:** The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$2,048.

**B-6 SENIOR ELECTRICIAN (M0153U), BRICK - CSC DOCKET NO. 2017-2737**

Brick Township request permission not to make an appointment from the November 2, 2016 certification for Senior Electrician (M0153U).

**ACTION:** The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$2,048.

**B-7 SENIOR PERSONNEL ASSISTANT (M0054T), HOLMDEL - CSC DOCKET NO. 2017-3041**

Holmdel requests permission not to make an appointment from the April 20, 2015 certification for Senior Personnel Assistant (M0054T).

**ACTION:** The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$2,048.

**B-8 CASSANDRA TELFAIR – CSC DOCKET NO. 2017-3544**

Cassandra Telfair appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the open competitive examination for Administrative Analyst 2, Procurement (S0953U), Statewide.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-9 PHILIP ZIEMIAK – CSC DOCKET NO. 2017-3801**

Philip Ziemiak appeals the determination of the Division of Agency Services that he was below the minimum requirements in experience for the promotional examination for Section Supervisor Fiscal Resources (PS4225I), Northern State Prison

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-10 CLOTILDE CASTILLO, *ET AL.* – CSC DOCKET NOS. 2017-4043 *ET AL.***

Clotilde Castillo, Hilma Estrella, Tanuja Mistry, Patricia Ruzycki, and Patricia Vara appeal the administration of the promotional examination for Driver Improvement Analyst 3 (PS3503T), Motor Vehicle Commission.

**ACTION:** The Civil Service Commission directed that these appeals be denied.

**B-11 D.J. – CSC DOCKET NO. 2017-2606**

D.J., a Charge Nurse, 12 Months with Woodbine Developmental Center, Department of Human Services, appeals the determination of the Assistant Commissioner, Legal Affairs, which found that the appellant failed to present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-12 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of September 6, 2017.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting on September 6, 2017.

**B-13 LATASIA PEACE – CSC DOCKET NO. 2017-2850**

Latasia Peace appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her name from the eligible list for Correction Officer Recruit (S9988T), Department of Corrections on the basis of a positive drug test.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-14 SECRETARY BOARD/COMMISSION (M0670S), HOLMDEL - CSC DOCKET NO. 2017-3040**

Holmdel request permission not to make an appointment from the March 26, 2015 certification for Secretary Board/Commission (M0670S).

**ACTION:** The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$2,048.

**B-15 CODE ENFORCEMENT OFFICER (M0540T) AND MECHANIC (M0461T), HILLSIDE – CSC DOCKET NOS. 20107-3876 AND 2017-3994**

The appointing authority's failure to dispose of the certifications for Code Enforcement Officer (M0540T) and Mechanic (M0461T), Hillside Township, while provisionals are serving in the titles, has been referred to the Civil Service Commission for enforcement.

**ACTION:** The Civil Service Commission ordered the appointing authority to immediately remove the provisional appointees, properly dispose of the outstanding certifications and pay compliance costs in the amount of \$1,000 for each outstanding certification.

**B-16 P.B. – CSC DOCKET NO. 2018-670**

The Department of Agriculture, on behalf of P.B., requests the relaxation of the provisions of *N.J.A.C. 4A:6-1.22* so as to permit P.B. to donate more than 30 sick days to an individual who is participating in the donated leave program.

**ACTION:** The Civil Service Commission directed that this request be denied.

**B-17 JOSEPH CARR – CSC DOCKET NO. 2017-3804**

Joseph Carr appeals the determination of the Division of Agency Services that he was not eligible for the promotional examination for Network Administrator 1 (PS4384N), Department of Labor & Workforce Development since he was not employed in the announced unit scope.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-18 CLAUDIO TUNDO - CSC DOCKET NOS. 2015-3158, *ET AL.*  
(CONSOLIDATED)**

The appeals of Claudio Tundo, a Laborer 1 with the Borough of Ringwood, Department of Public Works, of his seven working day and 15 working day suspensions and his removal, effective February 26, 2016, on charges, was heard by Administrative Law Judge Richard McGill, who rendered his initial decision on July 31, 2017. At its meeting on September 6, 2017, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the appellant's removal to a three-month suspension. Rather, the Commission upheld the appellant's removal. The proposed final decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.

**B-19 CAROLYN MARTIN – CSC DOCKET NO. 2017-2795**

Carolyn Martin appeals the decision of the Division of Agency Services, which found that her position with the Department of the Treasury is properly classified as Technical Assistant 3. The appellant seeks a Technical Assistant 2, Treasury job classification.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-20 JOSEPHINE ERNDL – CSC DOCKET NO. 2017-2203**

Josephine Erndl appeals the bypass of her name on the Principal Parole Counselor (PS4623I), State Parole Board eligible list

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-21 JOSEPH ALESSI – CSC DOCKET NO. 2017-4001**

Joseph Alessi appeals the decision of the Division of Agency Services which found that he did not meet the experience requirements for the promotional examination for Supervisor Water Meter Repair (PM0234V), Trenton.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-22 DEBRA MAGYAR – CSC DOCKET NO. 2017-1182**

Debra Magyar appeals the determination of the Division of Agency Services, which found that she did not meet the experience requirement for the promotional examination for Secretarial Assistant 2 Non-Stenographic (PS2978I), Edna Mahan Correctional Institution for Woman, Department of Corrections.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-23 JOHN CLEMENTS AND JAMES HERBEK - CSC DOCKET NOS. 2018-682 AND 2018-149**

The Division of Agency Services on behalf of the Lincoln Park, requests that John Clements and James Herbek be assigned retroactive appointment dates to the Police Sergeant title. The Division of Agency Services also seeks Mr. Clements' eligibility for the promotional examination for Police Lieutenant (PM2033V), Lincoln Park.

**ACTION:** The Civil Service Commission directed that these requests be granted.

**B-24 MATTHEW RIVERA – CSC DOCKET NO. 2017-2228**

Matthew Rivera, represented by Michael J. Prigoff, Esq., appeals his rejection as a Fire Fighter candidate by Jersey City and its request to remove his name from the eligible list for fire fighter (M2542M) on the basis of a positive drug test.

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-25 C.E. – CSC DOCKET NO. 2016-2333**

C.E., a Communications Operator, Secures Facilities with the Central Reception and Assignment Facility, Department of Corrections (DOC), appeals the determination of DOC's Director of the Equal Employment Division, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**PUBLIC PORTION**

No comments.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, October 4, 2017, at 1:00 p.m., at 3 Station Plaza, Trenton, New Jersey.

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**Robert M. Czech**  
**Chairperson**  
**Civil Service Commission**